

RESOLUTION NO. 05-025

RESOLUTION BY THE CITIZENS' INDEPENDENT TRANSPORTATION TRUST (CITT) RECOMMENDING THE MIAMI-DADE BOARD OF COUNTY COMMISSIONERS (BCC) AMEND THE PEOPLE'S TRANSPORTATION PLAN (PTP) TO INCLUDE THE USE OF CHARTER COUNTY TRANSIT SYSTEM (SURTAX) FUNDS FOR MIAMI DADE TRANSIT (MDT) SERVICES IN EXISTENCE AS OF NOVEMBER 5, 2002 FOR FISCAL YEARS 2001-2002, 2002-2003, 2003-2004, AND SUBSEQUENT FISCAL YEARS UNDER CERTAIN CONDITIONS

NOW, THEREFORE, BE IT RESOLVED BY THE CITIZENS' INDEPENDENT TRANSPORTATION TRUST, that this Trust recommends to the Board of County Commissioners (BCC) that the People's Transportation Plan (PTP) be amended to include the use of up to \$21.5 million annually commencing in Fiscal Year 2004-2005 in Surtax funds for the costs of providing Miami-Dade Transit (MDT) services in existence as of November 5, 2002, for Fiscal Years 2001-2002, 2002-2003 and 2003-2004. The PTP is further amended to include use of Surtax funds for MDT services in existence as of November 5, 2002, for Fiscal Year 2004-2005 and subsequent fiscal years. The total amount of Surtax funds used to support those MDT services in existence as of November 5, 2002, shall not exceed \$150 million. Surtax funds may be utilized to support those MDT services in existence as of November 5, 2002, through the expiration of Fiscal Year 2011-2012. This amendment to add existing MDT services as a modification to Exhibit 1 to the PTP and to utilize surtax funds as provided herein is

contingent upon the approval by the Board of County Commissioners for Fiscal Years 2004-2005 and subsequent Fiscal Years of a 3.5% increase in the Countywide General Fund Budget to Miami-Dade Transit over that provided in the preceding fiscal year and a 1.5% increase in Local Option Gas Tax (LOGT) revenue support for Miami-Dade Transit over that provided in the preceding fiscal year (or the proportionate share increase in LOGT revenues for such fiscal year in accordance with Resolution No. R-614-03, whichever is greater). The foregoing amendments are further contingent upon a revised Maintenance of Effort amount to include an increase of \$5.129 million to the Countywide General Fund Budget to Miami-Dade Transit as of Fiscal Year 2004-2005. The foregoing amendments are contingent upon Miami-Dade County complying with the Reinvestment Schedule, as outlined in the accompanying memorandum in substantially the form attached hereto and made a part hereof. Failure to comply with any of these conditions in any fiscal year shall result in Miami-Dade County's inability to utilize Surtax funds prospectively for those services existing as of November 5, 2002. The foregoing amendments are further contingent upon the refund of Surtax revenues to the Surtax Fund in an amount equivalent to the general fund repayment amount on an annual basis, subject to Miami-Dade County's annual budget approval process. The foregoing amendments are further contingent upon the Board of County Commissioners adopting the above terms and conditions in the form of an ordinance.

The foregoing resolution was offered by Henry Lee Givens, who moved its adoption. The motion was seconded by James Reeder, and upon being put to a vote, the vote was as follows:

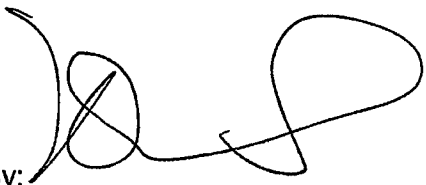
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Marc A. Buoniconti, Chairman    Nay  
Miles Moss, Vice-Chairman    Aye

Yolanda Aguilar	Absent	Enrique Bello	Absent
Harold Braynon, Jr.	Aye	Henry Lee Givens	Aye
Thamara Labrousse	Absent	Maureen O'Donnell	Aye
Hon. James Reeder	Aye	Susannah Troner	Aye
Theodore Wilde	Aye	Hon. Linda Zilber	Aye

The Chairperson thereupon declared the resolution duly passed and  
adopted this 27<sup>th</sup> day of April 2005.

Approved by the County Attorney as  
to form and legal sufficiency: B.L.

By:   
Executive Director

reso00805

# Memorandum



**Date:** July 7, 2005

**To:** Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners

**From:** George M. Burgess  
County Manager

Supplement to  
Agenda Item No. 7 (P)

**Subject:** Supplemental Report to the People's Transportation Plan Amendment: Disposal of Miami-Dade Transit Property Assets and Planned Efficiencies

The proposed People's Transportation Plan (PTP) amendment on today's agenda discusses resolution of the \$23.9 million Fiscal Year (FY) 2001-02 deficit outside of the Line of Credit Surtax loan. Disposal of certain Miami-Dade Transit (MDT) real property assets is the centerpiece of my commitment to address this shortfall. We have outlined a plan for the disposal of these assets that projects a five to seven (5-7) year time frame. The following report identifies those parcels considered candidates for surplus disposition and the requisite steps, in accordance with County policies, for asset disposal. In addition, the status of the implementation of the efficiencies resulting from the recent Comprehensive Bus Operations Analysis (CBOA) is explained.

## **RESOLUTION OF PRE-EXISTING SHORTFALL**

A group of ten (10) properties has been identified as an asset portfolio for potential disposal including six (6) vacant, unencumbered parcels suitable for development and four (4) parcels covered by existing joint development leases deemed suitable for investment with possible additional development potential. The estimated gross total market value of the portfolio is \$53.6 million, and after transactions costs, the net yield upon closing is estimated at \$42.9 million if the portfolio was sold in its entirety. (Attachment A)

The due diligence procedure described below will involve a benefit-cost analysis or other technical evaluation to assess the disposal of each parcel, particularly those currently producing long term income for the agency. Parcels that do not yield potential current and future income or those whose future development would likely not yield significant benefits to the agency will be slated for immediate disposal with the process to commence this summer. It should be noted that any parcel originally acquired using federal funding will require sale approval as well as MDT's retention of sale proceeds by the Federal Transit Administration (FTA). These clearances will be obtained during the due diligence period. Some of the time frames outlined below will be condensed where processes can be conducted concurrently.

## **Research/Preparation/Due Diligence**

Timing: Depends on complexity of property, 3-6 months.

This set of tasks involves identifying the property to be sold, determining whether it makes good business sense to dispose of the property, and assembling all relevant documentation necessary for a valuation of the property. Steps to be taken include research of property records and acquisition of surveys and other required documents.

### **Appraisal Process**

Timing: 3-5 months

MDT has a "blanket" approval for the expenditure of funds for appraisals. A scope is developed for the required work, quotes are received from appraisers, and the Appraisal Selection Committee reviews proposals and awards work to appraisers.

### **Federal and State Approvals**

Timing: 1-3 months

Before disposing of property originally purchased with Federal or State funds, MDT must obtain the approval of FTA and the Florida Department of Transportation (FDOT). A detailed letter and financial analysis is typically sent to the agencies for their review and approval.

### **Declaration of Surplus Property**

Timing: General Services Administration (GSA) has estimated this process to take from a minimum of 6 months onward, depending on the complexity of the property, whether municipalities are interested in the property, timing of committee and Board approvals, etc.

This set of tasks is managed by GSA with MDT's input and assistance and follows the standard County procedures for disposition of property. In order to ascertain such need or lack of need for the property, GSA staff will circulate written notice to County departments describing the property, and request a departmental determination of present or future need. Additionally, GSA staff will review its own records and County long-range capital plans to assess the need for the property. As appropriate, other public agencies may also be given notice on the proposed disposal.

If no interest or need is identified, the Planning Advisory Board (PAB) is asked to make a recommendation to the Board regarding the proposed disposition. GSA will incorporate the recommendation of the PAB into its report, and present the matter to the Board for final action. If approved by the Board, the property will be declared surplus and staff will be authorized to secure appraisal services, advertise for competitive bidding and take necessary action to conclude the sale.

### **Advertisement**

Timing: 3-4 weeks

Properties subject to competitive bidding are advertised for lease or sale, via sealed bid, for a minimum of two weeks. Additional marketing efforts are made through mailings, signage, internet postings, etc.

If a property is worth \$15,000 or less or is only of use to an adjacent property owner(s), it may be sold to an adjacent owner without advertisement or formal bid (in accordance with Florida

Statutes 125.35(2)). The property may be sold or leased without competitive bidding at a negotiated amount, nominal or otherwise, to a governmental organization or a not-for-profit Florida corporation that is organized for the purposes of promoting community interest and welfare.

#### **Bid Process**

Timing: up to 2 months

Depending on the complexity of the property, a pre-bid conference may be scheduled.

GSA will attend the bid opening, administered by the Clerk of the Court. All bids are publicly opened and the highest responsive bidder selected. Deposits of other bidders are returned.

#### **Closing**

Timing: 1-2 months

GSA staff will prepare the appropriate legal instrument in conjunction with the County Attorney's Office for the conveyance and/or lease, close the sale, and have the funds deposited to the appropriate County account. GSA will ensure that the deed is recorded, and that a copy is furnished to the Tax Assessor.

#### **IMPLEMENTATION OF RECOMMENDATIONS FROM THE COMPREHENSIVE BUS OPERATIONS ANALYSIS (CBOA)**

MDT has already implemented many of the recommendations outlined in the CBOA, which analyzed bus service on every route now being operated by the County. This study provided the information needed by MDT to position its resources more wisely, and recommendations from the CBOA have been incorporated in recent line-ups and will continue to be incorporated in future line-ups. To date, 44 routes have had CBOA recommended improvements. Listed below are the improvements implemented by line-up. Adjustments thus far have consisted primarily of running time adjustments. These adjustments improve on-time performance and increase schedule reliability for passengers by matching published route schedules to actual run times. For example, in the November 21, 2004, line-up, Route 12 southbound trips in the morning were given three to nine (3-9) minutes of additional running time because those trips were running 3-9 minutes late due to worsening of traffic conditions since the last time that run times were examined. Metrobus schedules prior to the commission of the CBOA were based largely on data from 1986 -the last time a comprehensive study of the Metrobus system was performed. Run time adjustments made on the same route in consecutive lineups were made for different service periods (e.g., weekend vs. weekday).

#### **July 18, 2004 Line-up**

Running time adjustments were made to eight (8) routes: 3, 16, 22, 40, S, Busway MAX, Coral Reef MAX, and the North Dade Connection.

**November 21, 2004 Line-up**

Running time adjustments to 25 routes: 12, 21, 27, 37, 54, 62, 73, 77, 87, C, H, K, R, W, Airport Owl, Coral Reef MAX, Flagler MAX, Gables Connection, Killian KAT, Little Haiti Connection, Little Havana Connection, Night Owl, Sunset KAT, Sweetwater Circulator, and the West Dade Connection.

**April 24, 2005 Line-up**

Running time adjustments to 19 routes: 3, 8, 16, 27, 36, 37, 41, 56, 62, 72, 73, E, G, J, Bird Road MAX, Biscayne MAX, Coconut Grove Circulator, Coral Reef MAX, and the Kendall KAT.

Future line-ups will implement recommended service changes along with continued implementation of the PTP service improvements. These service changes will include frequency adjustments, service span changes, alignment changes, new service, service deletion on unproductive routes (as determined by ridership figures –generally routes in the bottom 10% of the system). These changes are expected to increase ridership and produce the following measurable savings in revenue hours per year:

<u>Lineup</u>	<u>Savings (Revenue Hours/Year)</u>	<u>Revenue Miles/Year</u>
July 2005	590	7,670
November 2005	6,500	84,500
April 2006	27,800	361,400

MDT is committed to continuous improvement and demonstrates this commitment through on-going management and operational assessments that critically review current practices. I am confident that with this property disposal plan, in combination with operating efficiencies and other savings opportunities as outlined in the accompanying agenda item, we will be able to favorably address the \$23.9 million pre-existing shortfall.

  
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Deputy County Manager

## DEFICIT REDUCTION PLAN

## SALE OF REAL PROPERTY

Unencumbered Properties	Value	Value Determined By	Notes
Palmetto	\$ 1,700,000	Tax Rolls (TR)	
Okeechobee	\$ 3,265,000	Independent Appraisal (IA)	lease under negotiation
Brownsville	\$ 2,500,000	IA	lease under negotiation
Brickell Parcel	\$ 1,200,000	IA	
Douglas Road (front parcel)	\$ 6,750,000	IA	lease under negotiation
US 1/296 St.	\$ 3,120,000	IA	
<b>Subtotal</b>	<b>\$ 18,535,000</b>		
<b>Encumbered Properties</b>			
Dadeland North JD	\$ 17,300,000	TR	under lease
Dadeland South JD	\$ 11,200,000	TR	under lease
Coconut Grove	\$ 5,600,000	IA	under lease
9590 NW 27 Ave.	\$ 1,030,798	TR	leased to School Board
<b>Subtotal</b>	<b>\$ 35,130,798</b>		
<b>Total Value</b>	<b>\$ 53,665,798</b>		
<b>Expenses</b>			
Sale and Closing Costs	\$ 5,366,579		
Staff and GSA Costs	\$ 5,366,579		
<b>Total Expenses</b>	<b>\$ 10,733,158</b>		
<b>Net Proceeds From Sale</b>	<b>\$ 42,932,640</b>		



# Memorandum

MIAMI-DADE  
COUNTY

**Date:** (Second Reading 07-07-05)  
**May 17, 2005**

**To:** Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners

**From:** George M. Burgess  
County Manager

**Subject:** People's Transportation Plan Amendment

Agenda Item No. 7(P)

## RECOMMENDATION

It is recommended that the Board approve the attached Ordinance amending the People's Transportation Plan (PTP) to restore the general fund support to Miami-Dade Transit (MDT), also referred to as the maintenance of effort (MOE), to the pre-surtax level of \$123.171 million and annually increase the MOE by 3.5%. Included in the amendment is compliance with the terms of the attached Line of Credit Obligation Letter which outlines a loan approved by the Citizens' Independent Transportation Trust (CITT) for up to \$150 million in Charter County Transit System Surtax (surtax) funds to support MDT services in existence as of November 5, 2002. However, the revised repayment schedule accompanying this memorandum only envisions the need to access \$118.9 million as a result of my recommendation to exclude the \$23.9 million FY 2001-02 shortfall existing prior to the passage of the surtax.

## BACKGROUND

On January 27, 2005, the Board approved an amendment to the PTP authorizing the use of surtax funds to support existing transit service. This amendment had also been approved unanimously by the Citizens' Independent Transportation Trust (CITT). The item approved by the Board made the use of surtax funds for existing transit service contingent upon increasing the general fund support to MDT (or the MOE) by 3.5% per year and increasing the Local Option Gas Tax (LOGT) revenue support to MDT by 1.5% (or the proportionate share increase in LOGT revenues for such fiscal year in accordance with Resolution No. R-614-03). That item also increased the MOE in FY 2004-05 by \$2 million. Mayor Alvarez vetoed this action on February 5, 2005.

While the original plan approved by the Board was, in my view, a sound solution to MDT funding issues, Board Members expressed reservations concerning the plan, which were echoed by the Mayor in his veto message. Consequently, I continued to work with my staff to determine other potential solutions to address the costs of the existing transit service. As explained below, I have developed a modified approach which provides for a loan of surtax funds (line of credit) at a 3% interest rate to fund those services existing as of November 5, 2002 contingent upon restoring the MOE to the pre-surtax level of \$123.171 million and annually increasing the MOE by 3.5% and the Capital Improvement Local Option Gas Tax (LOGT) by 1.5% (or the proportionate share increase in LOGT revenues for such fiscal year in accordance with Resolution No. R-614-03, whichever is greater). My modified approach would be memorialized through the attached Ordinance and Line of Credit Obligation Letter and is exclusive of the \$23.9 million FY 2001-02 shortfall that existed prior to the passage of the surtax. This approach strengthens our opportunities for federal funding, more properly funds the cost of our unified transit system, and helps ensure we are able to address the projects outlined in the PTP.

### **Maintenance of Effort**

In order to restore the MDT maintenance of effort to the pre-surtax level, I recommend increasing the FY 2004-05 general fund support by \$5.129 million, to \$123.171 million. This is the same general fund support originally budgeted for MDT for FY 2002-03, prior to passage of the surtax. The plan approved by the Board on January 27, 2005, included a \$2 million increase to \$120.042 million. The additional \$3.129 million will reduce the countywide general fund carryover into FY 2005-06, but will increase MOE funding to the level that would have existed if the surtax referendum had not passed in 2002.

### **Resolution of Pre-existing Shortfall**

MDT ended FY 2001-02 with \$23.9 million more in expenditures than it received in revenues. The FY 2001-02 books were closed primarily by booking a receivable against future federal funding. Although this action was allowable by federal guidelines, it had the effect of reducing revenues in the following year and was therefore only a temporary solution to the problem. My approach does not include this \$23.9 million in the amount to be borrowed or repaid to the surtax. After careful deliberation with my staff, I am recommending that this amount be addressed separately, outside of this repayment schedule and without the use of surtax funds. MDT will be required to pay back this \$23.9 million over a ten year period within their own budget by obtaining savings through recurring efficiencies and savings and one time revenues such as land sales.

With regard to land sales alone, MDT has surveyed its inventory of property throughout the County. MDT owns various lots adjacent to existing stations slated for potential future expansions for parking or further joint development. However, many of these parcels, specifically parcels at the Palmetto, Okeechobee, Brownsville, Brickell, and Douglas Road stations, and a site along the Busway at US 1 and 296 Street, are currently vacant and unencumbered. An actual disposal plan for these properties requires a detailed analysis, but preliminary estimates of the value of these properties could generate a significant one-time sum for MDT. Any properties considered for sale would be sold through a competitive bid process (with the possible exception of certain properties currently under negotiation), with the disposal process taking a minimum of 12 to 18 months to complete. MDT also has an inventory of encumbered properties (Coconut Grove, Dadeland North, and Dadeland South) which are also being evaluated. However, a detailed analysis of the cost-benefit is being performed, since the department would be foregoing long-term revenues from existing leases as a result of any sale of these parcels. Legal issues related to these existing leases must also be evaluated.

The recent update of the Pro Forma outlined a number of efficiency projects currently underway at MDT. The department is committed to continuous improvement and demonstrates this commitment through on-going management and operational assessments that critically review current practices. These assessments are being used to either verify that the agency is managing prudently or to help identify cost savings. The agency has employed the services of state university transportation centers to objectively analyze organizational structures and processes. The value of this kind of on-going self-assessment is in helping to ensure that the dollars allocated to providing public transportation are being spent wisely.

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One of the efficiency projects outlined in the January 27, 2005, Pro Forma report included the recently completed Comprehensive Bus Operations Analysis (CBOA) which analyzed bus service on every route now being provided by the County. The study is providing the information needed to position our resources more wisely. Recommendations from the CBOA have been incorporated in recent line-ups and will continue to be incorporated in future line-ups. Recent updates of the Metrorail & Metromover Fleet Management Plans assessed current and future vehicle maintenance needs, resulting in improved maintenance scheduling and improved forecasting of associated costs. MDT also developed the Federal Transit Administration (FTA) mandated Metrorail Action Plan to enhance performance of vehicles and other systems. This resulted in the reallocation of staff for maintenance, repair and tracking and the restructuring of preventive maintenance intervals. The Mechanic Manpower Analysis helped MDT develop a methodology for determining future vehicle maintenance needs and benchmarks for mechanic time allocations per operated mile of service, thus assisting in more realistic assessment of staffing needs. A work time standards manual for bus maintenance tasks at MDT has also been developed. These labor time standards will allow MDT to establish performance measures for specific repair tasks.

In addition to the efficiencies outlined in the Pro Forma report, MDT has since initiated additional efficiency measures:

- Metrorail vehicle mileage was analyzed and a new policy to rotate the use of vehicles to help normalize, or "even out", the use across the fleet was instituted. This new program will help to extend the service life until the mid-life rehabilitation can begin.
- The recently completed Facilities and Equipment Maintenance plan resulted in preventive maintenance procedures being developed for all equipment and building systems. When fully implemented, the plan will assist in reducing costs for repairs and potentially result in relocation of maintenance staff to reduce travel time and increase productivity.
- A task force that examined labor practices relating to promotions of union employees, led to the streamlining and tightening of rules relating to the use of seniority. Changes resulted in a more efficient process while at the same time provided new career opportunities.
- An on-going review of Metrobus maintenance practices includes a review of productivity and performance, a manpower needs assessment, development of an action plan, and plans for an annual review to ensure follow up on recommendations.

These are just a few of the initiatives now underway within MDT. Each activity has an established target and performance measure. As MDT begins to meet these targets and efficiencies are gained, their financial impacts will be incorporated into future Pro Formas. With each annual update, we have an opportunity to share information and make knowledgeable decisions. Each year, we should view this process as a chance to take a fresh look at exactly where we are heading under the given financial circumstances.

### **Internal vs. External Financing**

Extensive consideration was given to the appropriate structure to finance the cost of funding existing service through 2016. After due diligence, it was concluded that an internal line of credit was most advantageous and in the best interest of both MDT and the CITT since the internal line of credit carries a lower interest cost and significant savings which can be invested in service needs.

It should be noted that the County budgets to appropriate debt from legally available non ad valorem revenues on a regular basis. Rating agencies and the marketplace view this credit in a very favorable manner. In fact, these pledges carry an A+ rating, a notch below the County's General Obligation Bond rating of AA-. I bring this to your attention since so much discussion has surrounded the question of whether an internal loan carries the same commitment as an external financing. I believe that our track record speaks for itself in that the County has never reneged on an obligation whether internal or external. Additionally, an external issuance for the purposes of this amendment would increase our level of outstanding debt when we have a better solution available to resolve this issue.

When the CITT considered this amendment on April 27, 2005, it had before it two proposals. One proposal outlined an external loan, which would have forced the general fund MOE to assume payments on a bond issuance currently assigned to the surtax for the Earlington Heights/Miami Intermodal Center (EH/MIC) Connector construction schedule. This plan would have diverted payment of a significant interest sum to a third party. Growth in the general fund MOE would have been used to pay this external debt, thus detracting from available operating funds for existing services at MDT. In addition to costs related to this financing, the diversion of funds to a third party could have served to further aggravate the MDT deficit, since monies were going towards third party interest payments instead of being reinvested in our own operations. While this plan would have had a more favorable impact on the surtax funds alone, the shifting of the debt payment to the general fund MOE would detract significantly from MDT's available operating funds.

The other proposal incorporated the Line of Credit Obligation Letter as attached. It should be noted that the CITT has struggled with this question for the last two months, and spent the entire day in various committees prior to its full Trust meeting debating the merits of both options. After lengthy and thoughtful discussions, the Trust approved the attached resolution on an 8-1 vote. I want to take this opportunity to thank Chairman Buoniconti and all of the Members of the CITT for taking the time to grapple with these considerable issues over the last several months, and for showing their faith in this County by supporting my proposal.

### **Line of Credit Obligation Letter and Penalty**

With the exclusion of the FY 2001-02 \$23.9 million, it is now estimated that MDT will require \$118.9 million in additional support to cover existing service shortfalls through 2011, at which time non-surtax revenues should be adequate to cover existing services based on the implementation of new fare collection equipment, additional fare increases, cost containment, and an increase in ridership assumed in the Pro Forma. In addition, the recently adopted fare increase contributed \$25.1 million to help reduce the FY 2004-05 and 2005-06 deficits. One of

the concerns expressed regarding the original plan I proposed was the lack of a binding instrument upon the surtax loan, similar to that which is constructed when borrowing funds from an outside agency, and the absence of any penalty should the pledged general fund increases not be appropriated in the future. In order to address these concerns, a loan and repayment structure has been outlined in the attached Line of Credit Obligation Letter (Attachment 3) that specifically allocates a portion of the annual 3.5% general fund MOE growth towards repayment of the surtax loan.

As Attachment 1 shows, for the ten years prior to the approval of the surtax, the general fund subsidy to MDT increased by an average of 2%. It should be noted that Ordinance 02-116, enacted July 9, 2002, which authorized the levy of the surtax, established a general fund MOE allocation to MDT of no less than \$111.8 million annually. However, through 2016 as detailed in Attachment 2, the difference between the 3.5% growth and the historical 2% growth would allow for payments to be made with a 3% interest to amortize the use of surtax funds to support the unified transit system. To the extent that MDT can adopt efficiencies that reduce future expenditures, or other cost reductions or revenue enhancements can be identified, additional payments toward this plan would be made from the liberated maintenance of effort subsidy to accelerate this payment schedule. Furthermore, on an annual basis, a rebate of surtax funds equal to the repayment amount for that year will be made to the surtax fund.

Pursuant to this structure, should in any year the commitment of increasing general fund support to MDT not be maintained, surtax revenues could not be used prospectively to fund existing services. This penalty effectively voids the amendment in the attached Ordinance, since funding of existing services through the surtax is cancelled.

#### **Note to Financial Statements**

Upon adoption of the proposed plan, a detailed note to the County's financial statements will be prepared annually which will describe this transaction along with an accompanying schedule depicting the annual payments made on this obligation. Failure to make the annual payments will be disclosed to all parties receiving these statements. The County's financial statements are filed annually with State and Federal regulatory agencies, as well as the three rating agencies and bond insurers. It should be noted that rating agencies traditionally review the County's financial statements on an annual basis.

#### **Federal Funding Process**

The FTA requires MDT to annually review its operating budget and discuss the agency's overall financial state. New Starts applications are due in August, 2005. The New Starts submittal is the document that FTA uses to determine its ratings on transit projects. The document requires a detailed assessment of the financial and operating plans of the submitting agency. The New Starts applications are reviewed and judged on a national level. MDT is competing with other transit agencies across the nation for limited funds. By rule, if an agency fails to submit a solvent financial plan, the agency's proposed rail project will not be rated and is not eligible for funding. By practice, an agency that fails to submit for a New Starts cycle permits other agencies to move ahead in the process. The financial plan is used as justification

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for special project funding and for comprehensive budget review. Project specific funding is often discussed at the FTA required quarterly meetings.

In accordance with the People's Transportation Plan, MDT is seeking federal matching dollars for the Orange Line (North and East-West Corridors). To receive federal funds, MDT must annually submit a New Starts package for each corridor. The New Starts submittal is rated based upon a land use component and the cost effectiveness of the project. The cost effectiveness of the project is determined by the soundness of the financial plan.

FTA looks at all transit applicant fiscal data – capital, operating resources, dedicated funding sources, fare revenue estimates, and a 25-year projection – in assessing the ability of a New Starts applicant to properly build, operate and maintain the entire transit program associated with the New Start. For MDT this means all financial aspects, including existing and future bus service, Metrorail and Metromover cost projections, Special Transportation Services, and existing and future corridors need to be included in the financial review. This financial report is a separate document submitted to FTA by the County to address all federal New Start reporting requirements.

Federal legislation expressly requires MDT to show that it can operate and maintain not only the new proposed corridor, but also its current transit system. The Transportation Equity Act for the 21<sup>st</sup> Century (TEA-21) requires FTA to ensure that proposed New Starts projects are supported by an acceptable degree of local financial commitment and resources, including evidence of stable and dependable funding sources to construct, maintain, and operate the fixed guideway capital investment, as well as the rest of the transit system.

### **Properly Funding the Cost of Transit Service**

The annual cost of existing transit services has exceeded recurring non-surtax MDT revenues for several years. The solution has been to use one-time revenue sources and in 2002 to borrow from future federal funds. The Pro Forma presented to the Board on January 27, 2005, continues to show the need to borrow surtax cash through 2011 to fully fund those services in existence as of November 5, 2002. Should the Board choose to continue to increase the MOE by 3.5% annually through 2034, an additional \$3 billion over the original Pro Forma of 2002 will be generated over the life of the Pro Forma, which exceeds the loan payment by \$2.8 billion. With this additional funding, we believe the expectations of our community as reflected in the original PTP Pro Forma can be met.

\* \* \*

The actions outlined above will correct the unrealistic limitations on the maintenance of effort support to transit operations, eliminate the pre-surtax shortfall, and properly fund the cost of transit service into the future. The reinvestment schedule that has been developed establishes the commitment of the general fund and significant penalties if we fail to meet that commitment. Should the Board and the Mayor approve neither the original plan nor the modified plan to fund existing services, an immediate reduction in MDT service would have to be implemented. In addition to the outlined land sales, major service adjustments, administrative reductions, and staffing reductions, as outlined in the January 27, 2005, Board item, would have to be considered.

This approach, as well as the original plan, obligates future general fund dollars for support of our transit system, reducing the countywide general fund dollars that would be needed to support the growth of other County services. It is critical that additional funding be identified to entice federal funding necessary to accelerate all PTP projects, including the Orange Line (North, EH/MIC Connector, and East-West (MIC to FIU segment) Corridors) and Bay Link, all of which can be delivered sooner than envisioned at the time of the PTP vote in 2002, as long as required federal funding is allocated. I want to reiterate the fact that the figures outlined in the Line of Credit Obligation Letter are based on assumptions. I have committed to this Board in the past that the Pro Forma will be updated annually, and this process will be critical to future projections for support from the surtax. Assumptions in the Pro Forma that do not materialize will be corrected annually, and these corrections will certainly affect some of the figures forecasted today. Any adjustments from anticipated levels of support will be clearly delineated in future Pro Forma reports and in the MDT annual budget.

Provided for your information is the CITT resolution forwarded to the Board with a favorable recommendation at the meeting of April 27, 2005, which amends the draft resolution distributed by my office on April 25, 2005. The amendment states that the total amount of surtax funds used to support those MDT services in existence as of November 5, 2002, shall not exceed \$150 million. Surtax funds may be utilized to support those MDT services in existence as of November 5, 2002, through the expiration of Fiscal Year 2011-2012. The CITT also modified the original resolution distributed to you by conditioning this PTP amendment on its approval by the Board in the form of an Ordinance. Additionally, the CITT modified the original resolution to clarify that failure by the County to meet any of its obligation shall result in surtax funds no longer being eligible to pay prospectively for those MDT services existing as of November 5, 2002. The above mentioned CITT recommended modifications are hereby incorporated into my recommendation. While no action of the Board of County Commissioners is irreversible, this plan will ultimately be approved in the form of an ordinance, so this ongoing commitment is codified. Updates to the Line of Credit schedule will be reported in annual updates of the Pro Forma.

#### **FISCAL IMPACT**

The attached Ordinance amending the PTP restores the general fund MOE support to MDT to the pre-surtax level of \$123.171 million and annually increases the MOE by 3.5%. Included in the amendment is compliance with the terms of the attached Line of Credit Obligation Letter which outlines a loan of up to \$150 million, although the repayment schedule only envisions the need to access \$118.9 million as a result of the exclusion of the \$23.9 million FY 2001-02 shortfall existing prior to the passage of the surtax.

  
\_\_\_\_\_  
Deputy County Manager

## Attachment 1 - Historical Maintenance of Effort (MOE) Levels

	Fiscal Year	MOE	Growth from Previous Year
1	1992	92,575	
2	1993	92,946	0.40%
3	1994	97,008	4.37%
4	1995	97,822	0.84%
5	1996	98,945	1.15%
6	1997	101,949	3.04%
7	1998	102,336	0.38%
8	1999	102,280	-0.05%
9	2000	103,780	1.47%
10	2001	104,268	0.47%
11	2002	111,800	7.22%

### Average Annual Change

	Amount	Number of Years	Average Growth Per Year
1997 - 2002	9,851	5	1.93%
1992 - 2002	19,225	10	2.08%



## Attachment 2 - General Fund Revenues

Fiscal Year	Required Support for Existing Services	MOE per initial Proforma	MOE Growing at 3.5 percent	MOE Growing at 2.0 percent	Difference of 1.5 percent	Repayments	Additional General Fund Revenue
2002							
2003	(18,500)						
2004	(22,000)						
2005 <sup>2</sup>	(17,779)	111,800	123,171	123,171			11,371
2006 <sup>3</sup>	(8,583)	111,800	127,482	125,634	1,848	1,848	13,834
2007	(16,685)	111,800	131,944	128,147	3,797	3,797	16,347
2008	(12,847)	111,800	136,562	130,710	5,852	5,852	18,910
2009	(1,562)	111,800	141,342	133,324	8,018	8,018	21,524
2010	(9,775)	111,800	146,289	135,991	10,298	10,298	24,191
2011	(11,170)	111,800	151,409	138,711	12,698	12,698	26,911
2012		111,800	156,708	141,485	15,223	15,223	29,685
2013		111,800	162,193	144,314	17,879	17,879	32,514
2014		111,800	167,869	147,201	20,668	20,668	35,401
2015		111,800	173,745	150,145	23,600	23,600	38,345
2016		111,800	179,826	153,148	26,678	21,481	46,545
2017		111,800	186,120	156,211	29,909		74,320
2018		111,800	192,634	159,335	33,299		80,834
2019		111,800	199,376	162,522	36,854		87,576
2020		111,800	206,354	165,772	40,582		94,554
2021		111,800	213,577	169,087	44,490		101,777
2022		111,800	221,052	172,469	48,583		109,252
2023		111,800	228,789	175,919	52,870		116,989
2024		111,800	236,796	179,437	57,359		124,996
2025		111,800	245,084	183,026	62,058		133,284
2026		111,800	253,662	186,686	66,976		141,862
2027		111,800	262,540	190,420	72,120		150,740
2028		111,800	271,729	194,228	77,501		159,929
2029		111,800	281,240	198,113	83,127		169,440
2030		111,800	291,083	202,075	89,008		179,283
2031		111,800	301,271	206,117	95,154		189,471
2032		111,800	311,816	210,239	101,577		200,016
2033		111,800	322,729	214,444	108,285		210,929
2034		111,800	334,025	218,733	115,292		222,225
(118,901)	4		6,358,417	4,996,814	1,361,603	141,362	2,863,055

**Note:**

- 1 - The amounts for support of existing services are estimates and subject to change annually
- 2 - The amount of support for existing services in FY 2005 has been adjusted for the fare increase effective May 1, 2005 and increased fuel expenses
- 3 - The amount of support for existing services in FY 2006 has been adjusted for the full annualization of the fare increase
- 4 - At the CITT meeting of April 27, 2005 this resolution was amended and forwarded to the Board with a favorable recommendation.  
The amendment states that the total amount of surtax funds used to support those MDT services in existence as of November 5, 2002 shall not exceed \$150 million. Surtax funds may be utilized to support those MDT services in existence as of November 5, 2002, through the expiration of Fiscal Year 2011-12.

United States of America  
State of Florida  
Miami-Dade County  
Line of Credit

Miami-Dade Obligation

Amount: \$150,000,000  
Date:  
Place: Miami, Florida  
Interest Rate: three percent annually

For Value received, the Miami-Dade Board of County Commissioners (BCC) and the Citizens' Independent Transportation Trust (CITT), an entity created by Ordinance 02-117, agree to extend to the Miami-Dade Transit Agency (MDTA), a line of credit in the amount not to exceed \$150,000,000 for the use of services in existence as of November 5, 2002. The general fund contribution to MDTA will in exchange be increased by 3.5 percent annually from the previous fiscal year amount and the Local Option Gas Tax (LOGT) will be increased by 1.5 percent annually from the previous fiscal year amount (or the proportionate share increase in LOGT for such fiscal year in accordance with Resolution No. R-614-03, whichever is greater) as to ensure payment of outstanding balance drawn from the line of credit with a three percent interest rate. Furthermore, a rebate of surtax funds will be made from the Transit Fund to the Surtax Fund equivalent to the repayment amount indicated in the Revised Reinvestment Schedule on an annual basis.

Nothing in this agreement shall be considered obligating the County, directly or indirectly or contingently, to levy or to pledge any form of taxation whatever therefore.

Principal and interest shall be payable from October 1, 2005. The Revised Reinvestment Schedule is the estimated draw-down and reinvestment schedule. Updated annual numbers will be presented to the BCC and CITT during the annual budgeting process.

The covenants and agreements provided in this line of credit shall be binding upon the County and its successors and assigns.

In the event that Miami-Dade County, in any fiscal year, fails to increase the General Fund contribution to MDTA by at least 3.5 percent from the previous fiscal year amount and/or fails to increase the LOGT contribution to MDTA by at least 1.5 percent from the previous fiscal year amount (or the proportionate share increase in LOGT for such fiscal year in accordance with Resolution No, R-614-03, whichever is greater), surtax revenues could not be used to fund prospectively those services in existence as of November 5, 2002.

In witness whereof, this line of credit has been duly executed by the undersigned, as of its date.

Miami-Dade County, a political  
subdivision of the State of Florida

Citizens' Independent Transportation Trust,  
of Miami-Dade County

\_\_\_\_\_  
By: Chairman, Board of County Commissioners

\_\_\_\_\_  
By: Chairman, Citizens' Independent Transportation Trust

\_\_\_\_\_  
By: County Manager

\_\_\_\_\_  
By: Executive Director

Office of Strategic Business Management,  
of Miami-Dade County

Miami-Dade Transit Agency,  
of Miami-Dade County

\_\_\_\_\_  
By: Department Director

\_\_\_\_\_  
By: Department Director

# Revised Reinvestment Schedule (excluding FY 2001-02 \$23.9 million)

Fiscal Year	Required Support for Existing Services <sup>1</sup>	Amount Borrowed Per Year (Future Years)	Amount Borrowed Per Year (Previous Years)	Total Amount Borrowed Per Year	Principal Payment	Interest payments	Annual Repayment	Balance of Outstanding Payment
2002	0						0	
2003	(18,500)						0	
2004	(22,000)						0	
2005 <sup>2</sup>	(17,779)	(17,779)	(13,500)	(31,279)			0	31,279
2006 <sup>3</sup>	(8,583)	(8,583)	(13,500)	(22,083)	910	938	1,848	52,453
2007	(16,685)	(16,685)	(13,500)	(30,185)	2,223	1,574	3,797	80,414
2008	(12,847)	(12,847)		(12,847)	2,701	3,151	5,852	90,560
2009	(1,562)	(1,562)		(1,562)	5,301	2,717	8,018	86,821
2010	(9,775)	(9,775)		(9,775)	7,693	2,605	10,298	88,903
2011	(11,170)	(11,170)		(11,170)	10,031	2,667	12,698	90,042
2012					12,522	2,701	15,223	77,520
2013					15,553	2,326	17,879	61,967
2014					18,809	1,859	20,668	43,158
2015					22,305	1,295	23,600	20,852
2016					20,852	626	21,478	0
2017								
2018								
2019								
2020								
TOTAL	(118,901) <sup>4</sup>	(78,401)	(40,500)	(118,901)	118,901	22,458	141,359	

Note:

1 - The amounts for support of existing services are estimates and subject to change annually

2 - The amount of support for existing services in FY 2005 has been adjusted for the fare increase effective May 1, 2005 and increased fuel expenses

3 - The amount of support for existing services in FY 2006 has been adjusted for the full annualization of the fare increase

4 - At the CITT meeting of April 27, 2005 this resolution was amended and forwarded to the Board with a favorable recommendation. The amendment states that the total amount of surtax funds used to support those MDT services in existence as of November 5, 2002 shall not exceed \$150 million. Surtax funds may be utilized to support those MDT services in existence as of November 5, 2002, through the expiration of Fiscal Year 2011-12.



# MEMORANDUM

(Revised)

**TO:** Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners

**DATE:** July 7, 2005

**FROM:** Robert A. Ginsburg  
County Attorney

**SUBJECT:** Agenda Item No. 7(P)

Please note any items checked.

- ☐ "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Bid waiver requiring County Manager's written recommendation
- ☐ Ordinance creating a new board requires detailed County Manager's report for public hearing
- ☐ Housekeeping item (no policy decision required)
- ☐ No committee review

Approved \_\_\_\_\_ Mayor  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No. 7(P)

07-07-05

ORDINANCE NO. \_\_\_\_\_

ORDINANCE AMENDING ORDINANCE NO. 02-116  
GOVERNING USE OF CHARTER COUNTY TRANSIT  
SYSTEM SURTAX; AMENDING MAINTENANCE OF  
EFFORT REQUIREMENT AND MODIFYING EXHIBIT 1 TO  
THE PEOPLE'S TRANSPORTATION PLAN; PROVIDING  
SEVERABILITY AND AN EFFECTIVE DATE

WHEREAS, this Board wishes to properly fund the unified transit system by allowing Charter County Transit System Surtax funds to support transit services in existence as of November 5, 2002 and requiring annual increases to Miami-Dade Transit from Miami-Dade County's General Revenue Funds and Local Option Gas Tax,

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY  
COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:**

Section 1. Section 5 of Ordinance 02-116 is hereby amended to read as follows:<sup>1</sup>

Maintenance of Effort. It is the intention of the Board of County Commissioners that the amount of general fund support for MDTA in fiscal year ending September 30, 200[[3]]>>5<< [[and each subsequent fiscal year]]>>shall be no less than<< [[~~\$111,800,000~~ which is the budgeted amount of general fund support for MDTA in fiscal year ending September 30, 2002]] >>\$123,171,000. It is the intention of the Board of County Commissioners that for each subsequent fiscal year, the amount of general fund support for MDTA shall be increased by 3.5 percent over that provided in the

<sup>1</sup> Words stricken through and/or [[double bracketed]] shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.

preceding fiscal year. Should in any year the general fund support for MDTA not be increased as set forth, surtax proceeds shall not be used to fund prospectively services in existence as of November 5, 2002. It is the intent of the Board that, subject to the annual appropriation process, a rebate of surtax revenues will be made to the Surtax Fund on an annual basis equivalent to the general fund repayment amount for that year. <<

Section 2. Exhibit 1 to the People's Transportation Plan (PTP) is amended to include those transit services in existence as of November 5, 2002 under the terms and conditions detailed in the attached Manager's Memorandum "People's Transportation Plan Amendment" incorporated herein.

Section 3. The Ordinance may only be amended or repealed by a two-thirds vote of the Board. Any amendment or repeal of this Ordinance shall further require a minimum of six (6) weeks between first and second reading.

Section 4. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

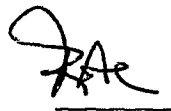
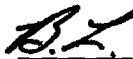
Section 5. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

PASSED AND ADOPTED:

Approved by County Attorney as  
to form and legal sufficiency:

Prepared by:

Bruce Libhaber

# Memorandum



**Date:** April 25, 2005

**To:** Honorable Carlos Alvarez, Mayor  
Honorable Chairman Joe A. Martinez and Members  
Board of County Commissioners

**From:** George M. Burgess  
County Manager

A handwritten signature in black ink, appearing to read "Burgess".

**Subject:** People's Transportation Plan Amendment

---

I am transmitting to you a draft of my recommendation as to how to best strengthen the People's Transportation Plan (PTP) through fiscally sound means. I believe this proposal addresses the concerns raised by you concerning the previously proposed PTP Amendment.

It is anticipated that this proposal will be considered by the Citizens' Independent Transportation Trust (CITT), at its regularly scheduled meeting on Wednesday, April 27, 2005. After discussions with each of you, I would like to present this to the Regional Transportation Committee (RTC) on May 12, 2005 for deliberation before being considered by the full Board on June 21, 2005. To meet this schedule, the draft ordinance included in the attached package will be placed on the May 3, 2005 County Commission meeting for first reading.

Again, my staff and I will be meeting with each of you to discuss this matter in greater detail before final consideration by the Board.

Attachment

Cmo06105



# Memorandum



**Date:** April 27, 2005

**To:** Honorable Carlos Alvarez, Mayor  
Honorable Chairman Joe A. Martinez and Members  
Board of County Commissioners

**From:** George M. Burgess  
County Manager

**Subject:** People's Transportation Plan Amendment

---

On January 27, 2005, the Board approved an amendment to the People's Transportation Plan (PTP) authorizing the use of Charter County Transit System Surtax (surtax) funds to support existing transit service. This amendment had also been approved unanimously by the Citizens' Independent Transportation Trust. The item approved by the Board made the use of surtax funds for existing transit service contingent upon increasing the general fund support to Miami-Dade Transit (MDT), also referred to as the maintenance of effort (MOE), by 3.5% per year, an increase to the Local Option Gas Tax (LOGT) revenue support to MDT by 1.5% or the proportionate share increase in LOGT revenues for such fiscal year in accordance with Resolution No. R-614-03, and an increase in the FY 2004-05 MDT budget by \$2 million. Mayor Alvarez vetoed this action on February 5, 2005.

While the original plan approved by the Board was, in my view, a sound solution to MDT funding issues, Board Members expressed reservations concerning the plan, which were echoed by the Mayor in his veto message. Consequently, I continued to work with my staff to determine other potential solutions to address the costs of the existing transit service. As explained below, we have developed a modified approach which provides for a loan of surtax funds (line of credit) at a 3% interest rate to fund those services existing as of November 5, 2002 contingent upon restoring the MOE to the pre-surtax level of \$123.171 million; annually increasing the MOE by 3.5% and the Capital Improvement Local Option Gas Tax by 1.5% (or the proportionate share increase in LOGT revenues for such fiscal year in accordance with Resolution No. R-614-03, whichever is greater). This modified approach addresses the shortfall that existed prior to the passage of the surtax, strengthens our opportunities for federal funding, more properly funds the cost of our unified transit system, and helps ensure we are able to address the projects outlined in the PTP.

## **Maintenance of Effort**

In order to restore the MDT maintenance of effort to the pre-surtax level, I recommend increasing the FY 2004-05 general fund support by \$5.129 million, to \$123.171 million. This is the same general fund support originally budgeted for MDT for FY 2002-03, prior to passage of the surtax. The plan approved by the Board included a \$2 million increase. The additional \$3.129 million will impact the countywide general fund carryover into FY 2005-06, but will increase MOE funding to the level that would have existed if the surtax referendum had not passed in 2002.

## **Pre-existing shortfall and efficiencies**

MDT ended FY 2001-02 with \$23.9 million more in expenditures than it received in revenues. The FY 2001-02 books were closed primarily by booking a receivable against future federal funding. Although this action was allowable by federal guidelines, it had the effect of reducing revenues in the following year and was therefore only a temporary solution to the problem. It is currently estimated that MDT will

require \$142.8 million in additional support to cover existing service shortfalls through 2011, at which time non-surtax revenues should be adequate to cover existing services based on the implementation of new fare collection equipment, additional fare increases, cost containment, and an increase in ridership assumed in the pro forma. The concerns expressed regarding the original plan I proposed were the lack of a binding instrument, similar to that which is constructed when borrowing funds from an outside agency, and the absence of any penalty should the pledged general fund increases not be appropriated in the future.

As Attachment 1 shows, for the ten years prior to the approval of the surtax, the general fund subsidy to MDT increased by an average of 2%. It should be noted that Ordinance 02-116, enacted July 9, 2002, which authorized the levy of the surtax, established a general fund MOE allocation to MDT of no less than \$111.8 million annually. As I have already indicated, I propose the MOE for MDT be increased by 3.5% annually. Through 2017, as detailed in Attachment 2, the difference between the 3.5% growth and the historical 2% growth would allow for payments to be made to amortize the use of surtax funds to support the unified transit system, paying 3.0% interest. To the extent that MDT can adopt efficiencies that reduce future expenditures, or other cost reductions or revenue enhancements can be identified, additional payments toward this plan would be made from the liberated maintenance of effort subsidy to accelerate this payment schedule. Attachment 2 also shows that after the line of credit is paid off, an additional \$2.8 billion in general fund support will be available for the unified transit system through the end of the pro forma.

I have developed a plan that would put into place a structure to allow surtax funds to be used to fund existing services as of November 5, 2002. In return, the General Fund would contribute to the Transit system an amount equal to all of the monies used for payment of the existing services as of November 5, 2002 with a 3% interest. Pursuant to this structure, should in any year the commitment of increasing general fund support to MDT not be maintained, surtax revenues could not be used to fund existing services in that year. Furthermore, on an annual basis, a rebate of surtax funds equal to the repayment amount for that year will be made to the surtax fund. This reinvestment schedule, similar to a line of credit, is outlined in the attached Line of Credit exhibit (Attachment 3). Any change to this structure would require a two-thirds vote of the Board to change the County Code.

#### **Federal Funding Process**

The Federal Transit Administration (FTA) requires MDT to annually review its operating budget and discuss the agency's overall financial state. The financial plan is used as justification for special project funding and for comprehensive budget review. Project specific funding is often discussed at the FTA required quarterly meetings.

In accordance with the People's Transportation Plan, MDT is seeking federal matching dollars for the Orange Line (North and East West Corridors). To receive federal funds, MDT must annually submit a New Starts package for each corridor. The New Starts submittal is rated based upon a land use component and the cost effectiveness of the project. The cost effectiveness of the project is determined by the soundness of the financial plan.

FTA looks at all transit applicant fiscal data – capital, operating resources, dedicated funding sources, fare revenue estimates, and a 25-year projection – in assessing the ability of a New Starts applicant to properly build, operate and maintain the entire transit program associated with the New Start. For MDT this means all financial aspects, including existing and future bus service, Metrorail and Metromover cost projections, Special Transportation Services, and existing and future corridors need to be included

in the financial review. This financial report is a separate document submitted to FTA by the County to address all federal New Start reporting requirements.

Federal legislation expressly requires MDT to show that it can operate and maintain not only the new proposed corridor, but also its current transit system. TEA-21 requires FTA to ensure that proposed New Starts projects are supported by an acceptable degree of local financial commitment and resources, including evidence of stable and dependable funding sources to construct, maintain, and operate the fixed guideway capital investment, as well as the rest of the transit system.

#### **Properly Funding the Cost of Transit Service**

The annual cost of existing transit services has exceeded recurring non-surtax MDT revenues for several years. The solution has been to use one-time revenue sources and in 2002 to borrow from future federal funds. The plan presented to the Board on January 27, 2005 continues to show the need to borrow surtax cash through 2011 to fully fund those services in existence as of November 5, 2002. Should the Board choose to continue to increase the MOE by 3.5% annually through 2034, an additional \$3 billion over the original Pro Forma of 2002 will be generated over the life of the pro forma, which exceeds the loan payment by \$2.8 billion. With this additional funding, we believe the expectations of our community reflected in the original PTP Pro Forma can certainly be met and likely exceeded.

\* \* \*

The actions outlined above will correct the unrealistic limitations on the maintenance of effort support to transit operations, eliminate the pre-surtax shortfall, and properly fund the cost of transit service into the future. The reinvestment schedule that has been developed establishes the commitment of the general fund and penalties if we fail to meet that commitment. Should the Board and the Mayor approve neither the original plan nor the modified plan to fund existing services, an immediate reduction in MDT service would have to be implemented. Certain service adjustments, administrative reductions, and staffing reductions, as outlined in the original Board item, would have to be considered.

This approach as well as the original plan, obligates future general fund dollars for support of our transit system, reducing the countywide general fund dollars available to support other services in future years, it is critical that additional funding be identified to entice federal funding necessary to accelerate all PTP projects, including the Orange Line (North, Earlington Heights- Miami Intermodal Center (MIC) Corridor, and East-West (MIC to FIU) Corridor) and Bay Link, all of which can be delivered sooner than envisioned at the time of the PTP vote in 2002, as long as required federal funding is allocated.

With these funding adjustments, we can address the concerns expressed by the Board and meet the expectations of our community. Provided for your information is a draft CITT resolution and a draft Board ordinance. It is anticipated to be presented to the full CITT on April 27. The attached ordinance amending the PTP, consistent with the resolution considered by the CITT will be placed on the May 3 Board agenda for first reading, and then presented to the Regional Transportation Committee on May 12. The ordinance is then anticipated to be presented to the full Board for second reading on June 21. While no action of the Board of County Commissioners is irreversible, this plan will ultimately be approved in the form of an ordinance, so this ongoing commitment is codified.

## Attachment 1 - Historical Maintenance of Effort (MOE) Levels

	Fiscal Year	MOE	Growth from Previous Year
1	1992	92,575	
2	1993	92,946	0.40%
3	1994	97,008	4.37%
4	1995	97,822	0.84%
5	1996	98,945	1.15%
6	1997	101,949	3.04%
7	1998	102,336	0.38%
8	1999	102,280	-0.05%
9	2000	103,780	1.47%
10	2001	104,268	0.47%
11	2002	111,800	7.22%

### Average Annual Change

	Amount	Number of Years	Average Growth Per Year
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1992 - 2002	19,225	10	2.08%

## Attachment 2 - General Fund Revenues

Fiscal Year	Required Support for Existing Services	MOE per initial Proforma	MOE Growing at 3.5 percent	MOE Growing at 2.0 percent	Difference of 1.5 percent	Repayments	Additional General Fund Revenue
2002	(23,900)						
2003	(18,500)						
2004	(22,000)						
2005	(17,779)	111,800	123,171	123,171			11,371
2006	(8,583)	111,800	127,482	125,634	1,848	1,848	13,834
2007	(16,685)	111,800	131,944	128,147	3,797	3,797	16,347
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2015		111,800	173,745	150,145	23,600	23,600	38,345
2016		111,800	179,828	153,148	26,678	26,678	41,348
2017		111,800	186,120	156,211	29,909	29,909	44,553
2018		111,800	192,634	159,335	33,299		80,834
2019		111,800	199,378	162,522	36,855		87,576
2020		111,800	206,354	165,772	40,582		94,554
2021		111,800	213,577	169,087	44,489		101,777
2022		111,800	221,052	172,469	48,583		109,252
2023		111,800	228,789	175,919	52,870		116,989
2024		111,800	236,796	179,437	57,360		124,996
2025		111,800	245,084	183,026	62,059		133,284
2026		111,800	253,662	186,686	66,976		141,862
2027		111,800	262,540	190,420	72,121		150,740
2028		111,800	271,729	194,228	77,501		159,929
2029		111,800	281,240	198,113	83,127		169,440
2030		111,800	291,083	202,075	89,008		179,283
2031		111,800	301,271	206,117	95,155		189,471
2032		111,800	311,816	210,239	101,577		200,016
2033		111,800	322,729	214,444	108,286		210,929
2034		111,800	334,025	218,733	115,292		222,225
	(142,802)					173,325	2,831,092

**Note:**

The amounts for support of existing services are estimates and subject to change annually

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United States of America  
State of Florida  
Miami-Dade County  
Line of Credit

Miami-Dade Obligation

Amount: \$142,802,000

Date:

Place: Miami, Florida

Interest Rate: three percent annually

For Value received, the Miami-Dade Board of County Commissioners (BCC) and the Citizens' Independent Transportation Trust (CITT), an entity created by Ordinance 02-117, agree to extend to the Miami-Dade Transit Agency (MDTA), a line of credit in the amount of \$142,802,000 for the use of services in existence as of November 5, 2002. The general fund contribution to MDTA will in exchange be increased by 3.5 percent annually from the previous fiscal year amount and the Local Option Gas Tax (LOGT) will be increased by 1.5 percent annually from the previous fiscal year amount (or the proportionate share increase in LOGT for such fiscal year in accordance with Resolution No, R-614-03, whichever is greater) as to ensure payment of outstanding balance drawn from the line of credit with a three percent interest rate. Furthermore, a rebate of surtax funds will be made from the Transit Fund to the Surtax Fund equivalent to the repayment amount indicated in Exhibit 1 on an annual basis.

Nothing in this agreement shall be considered obligating the County, directly or indirectly or contingently, to levy or to pledge any form of taxation whatever therefore.

Principal and interest shall be payable from October 1, 2005. Exhibit A is the estimated draw-down and reinvestment schedule. Updated annual numbers will be presented to the BCC and CITT during the annual budgeting process.

The covenants and agreements provided in this line of credit shall be binding upon the County and its successors and assigns.

In the event that Miami-Dade County, in any fiscal year, fails to increase the General Fund contribution to MDTA by at least 3.5 percent from the previous fiscal year amount and/or fails to increase the LOGT contribution to MDTA by at least 1.5 percent from the previous fiscal year amount (or the proportionate share increase in LOGT for such fiscal year in accordance with Resolution No, R-614-03, whichever is greater), surtax revenues could not be used to fund services those services in existence as of November 5, 2002 in that fiscal year.

In witness whereof, this line of credit has been duly executed by the undersigned, as of its date.

Miami-Dade County, a political  
subdivision of the State of Florida

Citizens' Independent Transportation Trust,  
of Miami-Dade County

\_\_\_\_\_  
By: Chairman, Board of County Commissioners

\_\_\_\_\_  
By: Chairman, Citizens' Independent Transportation Trust

\_\_\_\_\_  
By: County Manager

\_\_\_\_\_  
By: Executive Director

Office of Strategic Business Management,  
of Miami-Dade County

Miami-Dade Transit Agency,  
of Miami-Dade County

\_\_\_\_\_  
By: Department Director

\_\_\_\_\_  
By: Department Director

## Exhibit A - Reinvestment Schedule

Fiscal Year	Required Support for Existing Services <sup>1</sup>	Amount Borrowed Per Year (Future Years)	Amount Borrowed Per Year (Previous Years)	Total Amount Borrowed Per Year	Principal Payment	Interest payments	Annual Repayment	Balance of Outstanding Payment
2002	(23,900)						0	
2003	(18,500)						0	
2004	(22,000)						0	
2005 <sup>2</sup>	(17,779)	(17,779)	(21,467)	(39,246)			0	39,246
2006 <sup>3</sup>	(8,583)	(8,583)	(21,467)	(30,049)	670	1,177	1,848	68,625
2007	(16,685)	(16,685)	(21,467)	(38,152)	1,738	2,059	3,797	105,039
2008	(12,847)	(12,847)		(12,847)	2,701	3,151	5,852	115,185
2009	(1,562)	(1,562)		(1,562)	4,562	3,456	8,017	112,185
2010	(9,776)	(9,776)		(9,776)	6,932	3,366	10,298	115,028
2011	(11,171)	(11,171)		(11,171)	9,247	3,451	12,698	116,952
2012					11,715	3,509	15,223	105,238
2013					14,721	3,157	17,878	90,517
2014					17,953	2,716	20,669	72,563
2015					21,423	2,177	23,600	51,140
2016					25,144	1,534	26,678	25,996
2017					25,987	780	26,767	9
2018								
2019								
2020								
TOTAL	(142,802)	(78,402)	(64,400)	(142,802)	142,793	30,531	173,325	

Note:

1 - The amounts for support of existing services are estimates and subject to change annually

2 - The amount of support for existing services in FY 2005 has been adjusted for the fare increase effective May 1, 2005 and increased fuel expenses

3 - The amount of support for existing services in FY 2006 has been adjusted for the full annualization of the fare increase